

# Compliance Standards & Indicators

## Document A Administrator Checklist

Legal Requirement	Indicator	Documentation
<b>100000 Public Awareness activities:</b> 300.125; SP (II) (III)		
<b>100100</b> Newspaper notice: (NA for Charter Schools)	<ul style="list-style-type: none"> <li>One (1) published newspaper notice, billing or paid receipt, which indicates the date of publication.</li> <li>Notice is published on an annual basis prior to November 1.</li> </ul>	Public notice; billing; or paid receipt
<b>100200</b> Radio or television announcement: (NA for Charter Schools)	<ul style="list-style-type: none"> <li>Dated notice or billing which indicates the date of airing is present.</li> <li>Notice is aired on an annual basis prior to November 1.</li> </ul>	Public notice; billing; or paid receipt
<b>100300</b> Patron Notification:	<ul style="list-style-type: none"> <li>The agency notifies all parents of children with disabilities under the jurisdiction of the agency through general distribution of written literature once a year prior to November 1.</li> </ul>	Flyers, student handbook, newsletters, etc.
<b>100400</b> Posters/notices:	<ul style="list-style-type: none"> <li>The agency has placed posters/notices in all administrative offices.</li> </ul>	Poster; public notice
<b>100500</b> Content for each public awareness activity is present as follows (includes Indicators 100510 - 100560):		
<b>100510</b> Child find responsibilities:	<ul style="list-style-type: none"> <li>Notice states the agency's responsibility to identify, locate and evaluate children with disabilities who are under the jurisdiction of the agency, regardless of the severity of the disability. This includes: <ul style="list-style-type: none"> <li>Children attending private schools, including non-residents if attending private schools in your boundaries.</li> <li>Highly mobile children, such as migrant and homeless children, and</li> <li>Children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade.</li> </ul> </li> </ul>	Public notice
<b>100515</b> Intent to serve ALL disability categories:	<ul style="list-style-type: none"> <li>States the agency's assurance to serve all disability categories, either locally or through contractual arrangement.</li> <li>All disability categories are listed. Notice describes agency's responsibility to refer infants and toddlers suspected of having a disability to Part C early intervention system (First Steps).</li> </ul>	Public notice

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<b>100520</b> Intent to provide FAPE to all children with disabilities:	<ul style="list-style-type: none"> <li>States the agency's assurance to provide a free appropriate public education (FAPE) to all children with disabilities under the jurisdiction of the agency.</li> <li>Indicates that children with disabilities are students, between the ages of 3 and 21 years, who have been evaluated and identified in accordance with 162.675(2)(3) RSMo and the Individuals with Disabilities Education Act (IDEA).</li> </ul>	Public notice
<b>100525</b> Notice provided in alternative language formats:  300.561(a)(i); FERPA 99.7(d); SP(II)	<ul style="list-style-type: none"> <li>Indicates the notice will be provided in alternative language formats.</li> </ul>	Public notice
<b>100530</b> Access rights of parents to personally identifiable information relating to their children:  300.562; FERPA 99.6(2); SP(II)	<ul style="list-style-type: none"> <li>The agency assures that personally identifiable information collected, used, or maintained by the agency for the purposes of identification, evaluation, placement or provision of FAPE of children may be inspected and/or reviewed by parents.</li> </ul>	Public notice
<b>100535</b> Parent's rights to request amendment of records:  300.567; FERPA 99.7 (a)(2); SP(II)	<ul style="list-style-type: none"> <li>States that parents may request amendment to educational records if the parent believes the record is inaccurate, misleading, or violates the privacy or other rights of their child.</li> </ul>	Public notice
<b>100540</b> Rights of parents to file complaints concerning alleged failures by the agency to meet the requirements of FERPA:  300.568; FERPA 99.7 (4); SP(II)	<ul style="list-style-type: none"> <li>Parent may register a complaint with the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education (DESE) if they feel the agency is in violation of the Family Educational Rights and Privacy Act (FERPA).</li> </ul>	Public notice
<b>100545</b> Summary of the policies and procedures regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information:  300.561(a)(3); FERPA 99.7; SP(II)	<ul style="list-style-type: none"> <li>Availability (location) of the agency's policies and procedures regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information.</li> </ul>	Public notice
<b>100550</b> Assurance that services are provided in compliance with the General Education	<ul style="list-style-type: none"> <li>Availability (location) of the agency's assurances that services are provided in compliance with the requirement of GEPA.</li> </ul>	Public notice

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Provision Act (GEPA): 76.301 (4)(ii); Section 438 of the GEPA		
<b>100600 EDUCATIONAL SURROGATE APPOINTMENT PROCEDURES</b> 300.515; 162.998 RSMo; SP(V)		
<b>100700</b> Agency has written procedures:	<p>The agency's Compliance Plan includes:</p> <ul style="list-style-type: none"> <li>Procedures to determine when a student is in need of a surrogate appointment.</li> <li>Procedures to submit <i>Determination of Need</i> forms.</li> <li>Procedures to notify DESE, Division of Special Education, of changes in surrogate appointment and/or student's status.</li> <li>Description of intent to recruit and assist with training of educational surrogates.</li> <li>Identification of a contact person, if other than administrator of agency's special education program.</li> </ul>	Agency Compliance Plan
<b>100800</b> Determine need for educational surrogate:	<ul style="list-style-type: none"> <li>The agency implements procedures to determine whether or not a student has need of an educational surrogate.</li> </ul>	Agency records; student files
<b>100900</b> Upon agency determination/notification of suspected need, the agency investigates and determines the need for surrogate appointment:  (NA if agency has no identified need for educational surrogate appointments)	<ul style="list-style-type: none"> <li>Documentation is present that within thirty (30) days the agency investigated the need for an educational surrogate appointment for any children with disabilities suspected of needing special education services upon:               <ul style="list-style-type: none"> <li>Enrollment.</li> <li>Referral for special education evaluation.</li> <li>Notification that the child has no identified parent, guardian, or person acting as a parent.</li> </ul> </li> </ul>	Agency records; student files
<b>101000</b> Submit <i>Determination of Need for Educational Surrogate Appointment</i> :  (NA if agency has no identified need for educational surrogate appointments)	<ul style="list-style-type: none"> <li>Request for educational surrogate appointment was submitted to DESE, Division of Special Education, within ten (10) days of the determination of need.</li> <li>A copy of the DESE signed/approved <i>Determination of Need for Educational Surrogate Appointment</i> form and surrogate appointment letter is maintained in the student's file.</li> </ul>	Agency records; student files

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<b>101100</b> Change in child's need for an educational surrogate:  (NA if agency has no identified need for educational surrogate appointments)	<ul style="list-style-type: none"> <li>Documentation is present that DESE was notified of the need for a change in the child's educational surrogate status within thirty (30) days of child's change in status.</li> </ul>	Agency records; student files
<b>101200</b> Change in the specific educational surrogate appointment:  (NA if agency has no identified need for educational surrogate appointments)	<ul style="list-style-type: none"> <li>Documentation is present that DESE was notified of any changes that are needed for the surrogate appointment within thirty (30) days of the agency's awareness of the needed change (i.e., surrogate resignation, conflict of interest, etc.).</li> </ul>	Agency records; student files
<b>101300</b> Annual surrogate evaluation(s):  (NA if agency has no identified need for educational surrogate appointments)	<ul style="list-style-type: none"> <li>Documentation is present that annual evaluations for educational surrogates are completed and submitted to DESE, Division of Special Education, by July 1 of each year</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>Prior to a recommendation for termination of the surrogate's appointment.</li> </ul>	Agency records; student files
<b>101400</b> Evidence of recruiting efforts for educational surrogate:  (NA if agency has no identified need for educational surrogate appointments)	<ul style="list-style-type: none"> <li>Documentation is present of agency's efforts for recruiting individuals to serve as educational surrogates.</li> </ul>	Agency records; student files
<b>101500 OTHER ADMINISTRATIVE ITEMS</b>		
<b>101600</b> Confidentiality training: 300.572 (c); SP (II)	<ul style="list-style-type: none"> <li>Written verification of confidentiality training for ALL persons collecting or using personally identifiable data is present. Training is provided for all staff and subsequently for new hires.</li> </ul> <p>NOTE: Documentation may include dates of training, content agenda, and a list of participants.</p>	Agency records

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<b>101700</b> Positions of employees having access to personally identifiable data:  300.572 (d); SP (II)	<ul style="list-style-type: none"> <li>A listing of positions of current employees having access to personally identifiable data is posted at student file location(s) or other central location(s).</li> </ul>	Posted listing; agency files
<b>101900</b> Paraprofessional credentials:  SP (VI)	Documentation is present that special education paraprofessionals are properly credentialed:	Agency records; personnel files
<b>101910</b>	Paraprofessionals assigned to buildings designated as Title I School-wide Projects are credentialed in accordance with Regulations of No Child Left Behind (NCLB).  Paraprofessional engaged in any instructional support activities <ul style="list-style-type: none"> <li>Employed prior to January 8, 2002 have a High School Diploma or GED</li> <li>Employed after January 8, 2002 have sixty (60) college hours, an Associate Degree, or have passed the State approved Paraprofessional Praxis</li> </ul>	
<b>101920</b>	Paraprofessional assigned to buildings designated as Title I School-wide Projects engaged solely in activities of personal assistance (i.e. feeding, mobility, toileting, etc.) have a High School Diploma or GED	
<b>101930</b>	Paraprofessionals assigned to buildings not designated as Title I School Wide Projects have a High School Diploma or GED	
<b>102000</b> Paraprofessional training:  SP (VI)	Verification of orientation training necessary for each paraprofessional to perform duties as assigned is present. Paraprofessionals who do not hold teaching certificates are required to have received initial orientation plus fifteen (15) clock hours of training during their first school year of employment. A minimum of ten (10) clock hours each year thereafter is also required. Verification includes: <ul style="list-style-type: none"> <li>Orientation (dates, content agenda, and participants).</li> <li>Training (dates, content agenda, number of clock hours, and participants).</li> <li>Clock hours of training provided.</li> </ul>	Agency records; personnel files
<b>102100</b> Program evaluation results:  SP (VII)	<ul style="list-style-type: none"> <li>Results from the agency's annual evaluation of its special education program are documented.</li> <li>The evaluation, at a minimum, addresses the agency's performance on each of the State's performance goals for children with a disability. (For State Performance Goals see <i>Missouri State Plan for Special Education</i>)</li> </ul>	Program evaluation; agency records

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<b>102200</b> Inventory control, placement, and use: SP (IX)	<ul style="list-style-type: none"> <li>An inventory of items costing in excess of \$1000 that were purchased with federal funds is completed at least once every two (2) years.</li> <li>Documentation indicates that these items are restricted to use with identified children with disabilities.</li> </ul> <p>Inventory records include the following:</p> <ul style="list-style-type: none"> <li>Description of the equipment (including model number, if any)</li> <li>Serial number</li> <li>Identification of the grant under which the recipient acquired the equipment</li> <li>Information needed to calculate federal share of equipment</li> <li>Acquisition date and unit cost</li> <li>Location, use and condition of the equipment, and date information was reported</li> <li>Pertinent information on transfer, replacement, or disposition of the equipment</li> </ul>	Agency records; inventory listing
<b>102300</b> Private school program planning: 300.401; SP (VII) (VIII)	<p>Documentation addresses the agency's timely and meaningful consultation with appropriate representatives of parentally placed private school children with disabilities to address the following:</p> <ul style="list-style-type: none"> <li>How child find activities will be implemented</li> <li>Which private school children with disabilities will receive services</li> <li>What services will be provided</li> <li>How and where the services will be provided, including time and location of the services provided</li> <li>How the services provided will be evaluated</li> </ul> <p>NOTE (1): In Missouri, home-schooled children are included in this population.</p> <p>NOTE (2): Appropriate representatives may include parents, private school administrators, teachers, and/or principals.</p> <p>NOTE (3): The LEA shall make the final decisions with respect to the services to be provided to eligible private school children.</p> <p>NOTE (4): Missouri Constitution and case law prohibit the provision of services, equipment, materials, or personnel on the premises of a private school.</p>	Meeting notes; phone log; correspondence

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<b>102400 CONTRACTUAL SERVICES</b> 300.402; SP(VIII)		
<b>102500</b> Public agency contracts for a child's services through a private agency:	<ul style="list-style-type: none"> <li>Contractual services are arranged with only private agencies approved by the State Board of Education.</li> <li>All services are provided in accordance with IEP.</li> </ul>	Student files
<b>102600 STATE BOARD OPERATED PROGRAM—MISSOURI SCHOOL FOR THE BLIND (MSB)</b> SP(XI)		
<b>102700 (102710 – 102720)</b> The following items are present:	<p>The public agency maintains the following:</p> <ul style="list-style-type: none"> <li>A current evaluation report</li> <li>The current IEP</li> </ul>	Student files
<b>102800 STATE BOARD OPERATED PROGRAM—MISSOURI SCHOOL FOR THE DEAF (MSD)</b> SP(XI)		
<b>102900 (102910 – 102920)</b> The following items are present:	<p>The public agency maintains the following:</p> <ul style="list-style-type: none"> <li>A current evaluation report</li> <li>The current IEP</li> </ul>	Student files
<b>103000 STATE BOARD OPERATED PROGRAM—STATE SCHOOLS FOR THE SEVERELY HANDICAPPED (SSSH)</b> SP(XI)		
<b>103100 (103110-103120)</b> The following items are present:	<p>The public agency maintains the following:</p> <ul style="list-style-type: none"> <li>A current evaluation report</li> <li>The current IEP</li> </ul>	Student files
<b>103200 DESTRUCTION OF RECORDS</b> 300.573; SP (II)		
<b>103300</b> Notification of Destruction of Records provided prior to destruction of records:	<ul style="list-style-type: none"> <li>Parent is provided notification prior to the destruction of records.</li> </ul>	Notification

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<b>103400 (103410 –103440)</b> Notification includes:	The Notification of Destruction of Records includes the following: <ul style="list-style-type: none"> <li>Records to be destroyed specifically listed by category (IEPs, test protocols, etc.)</li> <li>Statement that indicates the reason for destruction</li> <li>Proposed date (m/d/y) of record destruction.</li> <li>Statement that records are maintained for a minimum of three (3) years from the date the child no longer received special education and related services.</li> </ul> <p>NOTE (1): A permanent record containing the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be retained without time limitation.</p> <p>NOTE (2): Refer to individual agency policies for additional information pertaining to this issue.</p>	
<b>103500 RELEASE OF INFORMATION</b> 300.571; SP (II)		
<b>103600</b> Consent for Release of Information is present:	<ul style="list-style-type: none"> <li>Consent for Release of Information was obtained prior to release of records.</li> </ul> <p>The following are some applicable <u>exceptions</u> to the consent requirement specified in FERPA:</p> <ul style="list-style-type: none"> <li>School officials,</li> <li>Schools in which a child seeks or intends to enroll,</li> <li>Federal, state, and local authorities involved in an audit, evaluation, or monitoring for compliance with education programs, and</li> <li>Investigations in connection with financial aid, such as a college loan.</li> </ul> <p>NOTE: For a complete listing of exceptions, see 34 CFR 99 FERPA Regulations.</p>	Release form; student files



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<b>103700 (103710 – 103740)</b> Content of the Release of Information:	The Release of Information contains the following content: <ul style="list-style-type: none"><li>• A dated signature of parent or eligible student (Date represents date permission given for release of information.)</li><li>• Specific records to be disclosed</li><li>• A statement describing reason(s) for disclosure</li><li>• Individual(s) or agency(ies) to which disclosure is to be made</li></ul>	Release form; student files
<b>103800 TRANSFER OF RIGHTS</b> 300.517(a)(3); SP (V)		
<b>103900</b> Notification of the transfer of parental rights at age of majority:	<ul style="list-style-type: none"><li>• Upon the child’s 18<sup>th</sup> birthday, the child and the parents are notified of the transfer of rights.</li></ul>	Student files
<b>104000 PRIOR WRITTEN NOTICE</b> 300.503; SP (V)		
<b>104100</b> Notice is provided prior to initiation of an action:	Documentation is present that Written Notice was provided to the parents of a child with a disability prior to proposing or refusing to initiate or change the identification, evaluation, Educational placement of the child or the provision of FAPE to the child: <ul style="list-style-type: none"><li>• Written Notice is Present</li><li>• Date of Provision of the Notice (m/d/y)</li><li>• Notice is provided a reasonable time prior to initiation of the action.</li></ul> NOTE (1): Generally notice must be provided at least ten (10) days prior to the initiation of an action, however, a lesser period may be reasonable in unusual circumstances, e.g. disciplinary changes of placement (see Document D).  NOTE (2): The ten (10) day requirement for provision of a notice prior to initiation of an action may be Waived by the parent of the child, except in the case of graduation.	Prior written notice of an action
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<b>104200</b> Content of notice is present as follows (Indicators 104210 - 104280):		
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<b>104210</b> Description and explanation of action:	The notice includes: <ul style="list-style-type: none"><li>• Description of the action being taken.</li><li>• Explanation of agency’s position and why the action is proposed or refused.</li></ul>	Notice

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<b>104220</b> Options considered and why rejected:	<ul style="list-style-type: none"> <li>Specific other option(s) considered by the IEP team prior to the decision to propose or refuse the action.</li> <li>Why each option listed was rejected.</li> </ul>	Notice
<b>104230</b> Information used as a basis for the action:	<ul style="list-style-type: none"> <li>A listing of each evaluation procedure, assessment, record, or report used as a basis for the action.</li> </ul>	Notice
<b>104240</b> Other relevant factors to the action:	<ul style="list-style-type: none"> <li>A description of other factors that are relevant to the agency's proposal or refusal.</li> </ul>	Notice
<b>104260 - 104270</b> Procedural Safeguards statement:	<p>The Prior written notice must contain the following:</p> <ul style="list-style-type: none"> <li>A statement that the parent has protection under procedural safeguards</li> <li>How to obtain a copy of procedural safeguards</li> <li>Sources for parent to contact to understand the provisions</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>A copy of the Procedural Safeguards was provided</li> </ul>	Notice
<b>104300 INDEPENDENT EDUCATIONAL EVALUATION (IEE)</b> 300.502; SP (V)		
<b>104400</b> Information provided to parent regarding policies for independent education evaluation (IEE):	<ul style="list-style-type: none"> <li>Upon request for an IEE, documentation is present that the public agency provided the parent information (or a listing) about where an independent educational evaluation may be obtained and the agency criteria applicable for independent educational evaluations.</li> </ul>	Agency records; student file
<b>104500</b> Provided at public expense:	<ul style="list-style-type: none"> <li>The IEE is provided at public expense consistent with provisions listed in the agency's policies.</li> </ul>	Agency records; student file
<b>104600</b> Results considered by the agency:	<ul style="list-style-type: none"> <li>The agency documents consideration of the IEE results.</li> </ul>	Agency records; student file
<b>104700 CORE DATA PROGRAM REPORTING</b> SP (IX)		

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<b>104800</b> Personnel assigned to Special Education less than full time: (NA full time positions.)	For ancillary personnel assigned less than full time to special education activities documentation is present that: <ul style="list-style-type: none"> <li>Time/effort logs are maintained.</li> <li>Logs correspond to core data reporting.</li> </ul>	Core data report; agency files; time/effort logs
<b>104900</b> Teachers:	Teacher case loads: <ul style="list-style-type: none"> <li>Meet state standards or documentation present of state approved exception(s).</li> <li>Correspond to core data reporting.</li> </ul>	Core data report; caseload worksheet
<b>105000</b> Paraprofessional(s):	<ul style="list-style-type: none"> <li>Paraprofessional assignments correspond to core data report.</li> </ul>	Core data report; agency files
<b>105100 HOMEBOUND PROCEDURE</b> RSMo 162.975		
<b>105200</b> Homebound application must be on file in the agency:	<ul style="list-style-type: none"> <li>Agency maintains a file with current applications for children on whom they are requesting reimbursement for homebound instruction.</li> </ul> NOTE: Applications must be maintained on file for a period of not less than five (5) years.	Homebound applications

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<b>105300</b> Application form must document all appropriate information:	<p>Application form must document:</p> <ul style="list-style-type: none"> <li>A medical or psychological diagnosis and intervention given by an appropriate professional. A psychiatrist or licensed psychologist must provide a brief statement of the psychological treatment being given. When a student is hospitalized for an emotional disorder, stating the name of the hospital is sufficient; however, when a student is not hospitalized and receiving outpatient treatment, the treatment plan must be specified (typically, once a week).</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>Signature of a licensed physician (M.D. or D.O.) or in the case of <u>a normal pregnancy only</u>, a licensed nurse practitioner.</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>In the case of emotional disorders, the signature of a medical doctor specializing in psychiatry or a licensed psychologist.</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li>The name of the teacher assigned to conduct the instruction.</li> </ul> <p>NOTE (1): Approval for pregnancy is typically made for six (6) weeks prior to and/or six (6) weeks following delivery. Applications are not approvable for post delivery illness of the baby.</p> <p>NOTE (2): A licensed psychiatrist or licensed psychologist must provide a brief statement of the psychological treatment being given.</p>	Homebound applications
<b>105400</b> Exceptions submitted to DESE for approval:	<p>Agency will submit applications for special education students for:</p> <ul style="list-style-type: none"> <li>Homebound for the purpose of reevaluation.</li> <li>Homebound during long-term suspension or expulsion.</li> <li>Homebound for a special education student that will extend beyond nine (9) weeks.</li> </ul> <p>NOTE: For long-term suspension/expulsion, the agency will be required to send a copy of the Notice of Change of Placement, documentation that the IEP team met and determined unrelatedness to the disability, and that a copy of the <i>Procedural Safeguards for Children and Parents</i> was provided to the parent.</p>	Homebound applications; approval letter